

# Order

Michigan Supreme Court  
Lansing, Michigan

June 9, 2006

Clifford W. Taylor,  
Chief Justice

129614

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

PEOPLE OF THE STATE OF MICHIGAN,  
Plaintiff-Appellee,

v

SC: 129614  
COA: 260369  
Kent CC: 99-004389-FC

WILLIAM JERMICHAEL CARTER,  
Defendant-Appellant.

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On order of the Court, the application for leave to appeal the August 16, 2005 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other preemptory action. MCR 7.302(G)(1). The parties are directed to file supplemental briefs within 42 days of the date of this order addressing: (1) whether defendant is entitled to resentencing, and (2) whether this Court's statement in *People v Francisco*, 474 Mich 82, 89, n 8 (2006), that resentencing is not required where the trial court clearly indicates that it would have imposed the same sentence regardless of the scoring error, applies to situations where the trial court so concludes only after the original sentencing proceeding.



d0606

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 9, 2006

*Corbin R. Davis*

Clerk